



DEPARTMENT OF THE INTERIOR  
U. S. FISH AND WILDLIFE SERVICE

## FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES  
16 USC 703-712

REGULATIONS  
50 CFR Part 13  
50 CFR 21.41

3. NUMBER  
**MB747596-0**

4. RENEWABLE  
YES  
NO

6. EFFECTIVE  
10/01/2010

5. MAY COPY  
YES  
NO

7. EXPIRES  
09/30/2011

1. PERMITTEE

WEST VALLEY DEMONSTRATION PROJECT  
U.S. DEPARTMENT OF ENERGY  
10282 ROCK SPRINGS ROAD  
WEST VALLEY, NY 14171-9799  
U.S.A.



8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)  
**BRYAN C. BOWER**  
**DIRECTOR**

9. TYPE OF PERMIT  
**DEPREDAATION**

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

**200 ACRE PREMISES OF WEST VALLEY DEMONSTRATION PROJECT, WEST VALLEY, NY**

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. You are authorized to **remove and destroy nest and all eggs** in up to:

- (a) 20 active Barn swallow nests
- (b) 15 active American robin nests
- (c) 5 active Eastern phoebe nests
- (d) 15 active Common Grackle nest

**Any nestlings must be humanely destroyed.**

Lethal take is not to be the primary means of control. Active hazing, harassment or other non-lethal techniques must continue in conjunction with any lethal take of migratory birds.

**State Restrictions:** Peregrine Falcons and other bird species are listed as Endangered/Threatened by State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation Tel: 518-402-8987.

E. The following subpermittees are authorized: (1) Employees of the U.S. Dept. of Energy assigned to the WVDP; (2) employees of the West Valley Environmental Services (contractor to DOE for WVDP); and, (3) employees of URS (subcontractor to WVDP). In addition, any other person who is (1) employed by or under contract to you for the

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

**ANNUAL REPORT DUE WITH NEXT RENEWAL FORM**

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

10/08/2010

activities specified in this permit, or (2) otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.

F. You and any subpermittees must comply with the attached Standard Conditions for Migratory Bird Depredation Permits.

G. A "No Feeding Policy" must be in place.

**For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.**

**For suspected illegal activity, immediately contact USFWS Law Enforcement at: Valley Stream, NY 516-825-3950**



## **Standard Conditions Migratory Bird Depredation Permits 50 CFR 21.41**

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 21.41 are conditions of your permit. The standard conditions below are additional provisions and conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit. If you have questions regarding these conditions, refer to the regulations or, if necessary, contact your migratory bird permit issuing office. For copies of the regulations and forms, or to obtain contact information for your issuing office, visit: [www.fws.gov/permits/mbpermits/birdbasics.html](http://www.fws.gov/permits/mbpermits/birdbasics.html).

1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
2. Shotguns used to take migratory birds can be no larger than 10-gauge and must be fired from the shoulder. You must use nontoxic shot listed in 50 CFR 20.21(j).
3. You may not use blinds, pits, or other means of concealment, decoys, duck calls, or other devices to lure or entice migratory birds into gun range.
4. You are not authorized to take, capture, harass, or disturb bald eagles or golden eagles, or species listed as threatened or endangered under the Endangered Species Act found in 50 CFR 17, without additional authorization.

For a list of threatened and endangered species in your state, visit the U.S. Fish and Wildlife Service's Threatened and Endangered Species System (TESS) at: [www.fws.gov/endangered](http://www.fws.gov/endangered).

5. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to 1-800-327-BAND or [www.reportband.gov](http://www.reportband.gov).
6. This permit does not authorize take or release of any migratory birds, nests, or eggs on Federal lands without additional prior written authorization from the applicable Federal agency.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. Unless otherwise specified on the face of the permit, migratory birds, nests, or eggs taken under this permit must be:
  - (a) turned over to the U.S. Department of Agriculture for official purposes,
  - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
  - (c) completely destroyed by burial or incineration.
9. Subpermittees must be at least 18 years of age. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of letters you have provided.
10. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever you are exercising its authority.

11. You must maintain records as required in 50 CFR 13.46 and 50 CFR 21.41. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
12. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.
13. You may not conduct the activities authorized by this permit if doing so would violate the laws of the applicable State, county, municipal or tribal government or any other applicable law.

(DPRD - 4/7/2008)